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Terms of Peace Pact Detailed

The Agreement

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National security adviser Henry A. Kissinger yesterday outlined the Vietnam peace agreement initialed Tuesday and predicted an early cease-fire as well in Laos and Cambodia.

Kissinger said that the first American prisoners of war held in North Vietnam will be freed within two weeks of the formal signing Saturday. They will be turned over to American authorities in Hanoi, he said, and flown out in American planes.

While cautioning that the agreement must now face the test of being put into effect, he pledged full American support and predicted that all parties will live up to their obligations.

Kissinger made the comments in an hour-and-40-minute news conference at the White House after release of the full text of the agreement and the accompanying protocols spelling out how various provisions are to be carried out.

While both sides hailed the agreement that will end the Vietnam fighting at 7 p.m., Washington time, Saturday, all acknowledged that the agreement depended for its success on the good will of the various countries involved, including China and the Soviet Union.

President Nixon told a bipartisan congressional group

that "by pursuing the course, we have got our prisoners of war coming back, a peace however fragile, which we have hopes will endure."

The accord, more comprehensive than originally predicted, was welcomed in Hanoi and in Paris, as well as in Saigon, as a victory.

Le Duc Tho, the chief North Vietnamese negotiator, pledged at a Paris press conference that his country would "correctly and seriously" abide by its terms.

The accord, which will be signed in public ceremonies in Paris Saturday, provides for the complete withdrawal of American forces from South Vietnam within 60 days and the return of all American prisoners and the release of captured Communist troops within the same period.

There is a flat ban on the introduction of new troops

See VIETNAM, A8, Col. 1



United Press International

Spectators at Colorado Springs cheer when Air Force Academy basketball game is halted for cease-fire bulletin.

VIETNAM, From A1

and munitions into the south—by either the allied side or the Communist side.

North Vietnam's forces inside South Vietnam may remain but may not be augmented. The demilitarized zone and the Ho Chi Minh trail will be policed by an international body to assure that no more infiltration takes place.

Neither Laos nor Cambodia may be used as a base for infiltration of South Vietnam.

While refusing to provide specifics, Kissinger said he believed that cease-fires would go into effect in Laos and Cambodia "in a considerably shorter period of time than was envisaged in October." He said the Laos cease-fire should come first, and there were reports it may be as early as Feb. 11.

A National Council of Reconciliation and Concord will be established in the south to organize elections and to try to bring cooperation between the Saigon government and the Vietcong.

But the government of President Nguyen Van Thieu will continue in office. The original proposal that he resign a month prior to elections was not included in the agreement.

Fighting continued yesterday in South Vietnam with Saigon claiming that the Communists were trying for last-minute gains before the cease-fire takes effect.

American spokesmen in Saigon said that American bombing strikes in the south in support of South Vietnamese troops, while continuing, would begin tapering off Thursday.

Following up on the President's Tuesday night disclosure that "we have today concluded an agreement to end the war and bring peace with honor to Vietnam and Southeast Asia," Kissinger outlined the agreement in considerable detail.

"We have had many armistices in Indochina," he said. "We want a peace that will last." He said this country wants to normalize its relations with North Vietnam.

The text of the agreement clearly showed that concessions were won by both sides and that achievements could be claimed by both sides. The paper agreement will now be put to the practical test, with both sides warning that they are on guard against those who might try to sabotage it.

Kissinger in effect repeated the warning Mr. Nixon directed to China and the Soviet Union to exercise restraint.

While the agreement clearly limits the shipment of arms to South Vietnam, it says nothing about the shipment of additional munitions to North Vietnam.

Kissinger placed heavy stress on the prohibition in the agreement against the entry into South Vietnam of additional arms and men, either across the demilitarized zone or through Laos and Cambodia.

He noted that American economic advisers may remain indefinitely in Vietnam and that civilian technical advisers can continue to provide expertise and training to the South Vietnamese military.

South Vietnam's major concession was to tolerate the estimated 145,000 North Vietnamese troops that will remain there when the cease-fire is put into effect.

President Thieu had steadfastly insisted that he would never accept an agreement with such a provision.

Kissinger explained, however, that "nothing in the agreement establishes the right of North Vietnamese troops to be in the south" and that Hanoi has never claimed that right.

Moreover, he said, "there is a flat prohibition against the introduction of any outside forces, for any reason

whatsoever, so that the normal attrition of personnel cannot be made up by the reinfiltration of outside forces."

Also, there is "a flat prohibition against the presence of foreign forces in Laos and Cambodia, and, therefore, a flat prohibition against the use of the normal infiltration corridor," he said.

There is no restriction in the agreement on the maintenance of American military forces in Thailand or in the waters off Vietnam.

While these forces are expected to be reduced substantially after the return of American prisoners of war and the withdrawal of all American forces in South Vietnam—both to be completed before the end of March—Secretary of Defense Melvin R. Laird and others have said that American forces will be maintained in Southeast Asia.

When Kissinger was asked whether the heavy bombing of the north in December contributed to success of the negotiations, he replied that there was "deadlock" in December and "there was a rapid movement when negotiations resumed" in January.

In carrying out the bombing attack the United States did "what was considered to be necessary at the time in order to make clear that [we] could not stand for an indefinite delay in the negotiations," Kissinger said.

The text of the agreement shows that the United States won some major objectives: no coalition government in the south; return of POWs within 60 days; respect for the demilitarized zone, even if only "provisionally"; and recognition of the Thieu regime as a legitimate government.

At the same time, Hanoi won some major objectives: the withdrawal within 60 days of all U.S. forces in the south; acceptance by the United States and South Vietnam of the concept of Vietnamese reunification, but without coercion or annexation by either side; U.S. acknowledgment that there are two parties in the south, one of which is the Vietcong.

Acknowledging that the agreement "cannot be completely satisfactory to all the parties concerned," Kissinger said a lasting peace could come "only if neither side sought to achieve everything that it had wanted."

Nevertheless, he said "we have achieved the substantial adaptations that we asked for on Oct. 26 . . .

"It will be our challenge in the future to move the controversies that could not be stilled by any one document from the level of military conflict to the level of positive human aspirations and to absorb the enormous talents and dedication of the people of Indochina in tasks of construction rather than in tasks of destruction."

The presidential assistant, who negotiated the agreement in lengthy secret sessions in Paris and after a series of consultations in Saigon, Moscow and Peking, said, "We have to remain vigilant."

At the same time, he said that an agreement had been reached "which should preserve the dignity and the self-respect of all of the parties."

"Together with healing the wounds in Indochina we can begin to heal the wounds in America," Kissinger said.

Asked what was obtained this week that could not have been achieved earlier, Kissinger said that four years ago Hanoi refused to separate political and military issues and "insisted as a condition to negotiation" that the Thieu government be disbanded.

Until last October all the various proposals "foundered on the one root factor of the situation, that the North Vietnamese, until Oct. 8, demanded that a political victory be handed to them as a precondition for a discussion of all military questions," he said.

Kissinger said that since October the United States won agreement that the control machinery would be in place at the time of the cease-fire; that the time between a Vietnam cease-fire and cease-fire in Laos and Cambodia would be shortened; that linguistic ambiguities be eliminated; that the National Council of Reconciliation clearly would not be a disguised formula for a coalition government; that the demilitarized zone would be respected; and that there was a clear statement the two Vietnams would live at peace.

The 587 American prisoners now believed to be in Communist hands will be released at intervals of two weeks in roughly equal installments, Kissinger explained.

The issue of the release of Vietnamese civilian personnel, which Hanoi once wanted to tie to the release of Americans, will be negotiated between Saigon and the Vietcong representatives.

The agreement calls upon the two South Vietnamese parties to complete the negotiation within 90 days.

An international control commission made up of 1,160 troops from Canada, Indonesia, Poland and Hungary will be charged with supervising the cease-fire. North Vietnam originally argued that a force of 250 men was adequate.

Any one of the members of the control commission may report on violations of the cease-fire.

A four-party joint military commission made up of 3,300 personnel will have the task of ensuring joint action on enforcement of the cease-fire until U.S. forces are withdrawn.

The agreement and the protocol will be signed in two separate ceremonies in Paris Saturday. The four foreign ministers (U.S., North and South Vietnam and Vietcong) will sign in the morning and in the afternoon the foreign ministers of North Vietnam and the United States will sign an identical document except for the preamble.

Kissinger called the difference between the two documents "abstruse legalism."